

TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE



**FISCAL MEMORANDUM**

**SB 119 – HB 414**

March 6, 2013

**SUMMARY OF ORIGINAL BILL:** Deletes Tenn. Code Ann. § 55-9-604, thus authorizing proof of failure to wear a seatbelt as admissible evidence in civil action.

FISCAL IMPACT OF ORIGINAL BILL:

NOT SIGNIFICANT

**SUMMARY OF AMENDMENT (004195):** Deletes all language after the enacting clause. Effective July 1, 2013, requires a certificate of good faith to be filed by any party in tort action that asserts a plaintiff's injuries would have been reduced if the plaintiff had used a safety belt. Requires a rebuttable presumption that the plaintiff did use a safety belt and that any failure to wear one would not have affected damages.

**FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:**

**Unchanged from the original fiscal note.**

Assumptions for the bill as amended:

- Based on information provided by the Administrative Office of the Courts, there will be no impact on caseloads, and therefore, the fiscal impact will be not significant.
- There will be no impact on the operations of the Department of Safety.

**CERTIFICATION:**

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, appearing to read "Lucian D. Geise".

Lucian D. Geise, Executive Director

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